



E-FILED
CNMI SUPERIOR COURT
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Filing ID: 11929652
Case Number: 06-0119-CV
Elsa Duenas

A handwritten signature in black ink, appearing to read "Elsa Duenas".

EXHIBIT I



**LAW OFFICES OF
RAMON K. QUICHOCHO, LLC**

2nd Floor • V.S. Sablan Building • Chalan Piao
P.O. Box 505621 • Saipan, MP • 96950
Phone: 670.234.8946
Fax: 670.234.8920
E-mail: rayq@vzpacifica.net

VIA FACSIMILE AND U.S. MAIL

June 4, 2006

Mr. Reno Celis
Executive Director
COMMONWEALTH PORTS AUTHORITY
P.O. Box 501055
Saipan, MP 96950

FAXED
6-7-06
J

Re: Second Open Government Act request.

Dear Mr. Celis:

I am writing to request another inspection of public records. I do apologize, in advance, for any inconvenience this request may cause you, but it is extremely necessary that the requested public documents be produced in light of the repeated and habitual lies, misrepresentations, and misleading statements that your contractor/agent, OKP (CNMI) Corporation ("OKP"), has committed against CNMI Government agencies like the Division of Environmental Quality ("DEQ"), the Historic Preservation Office ("HPO"), and the Superior Court of the Commonwealth of the Northern Mariana Islands in *Joaquin Q. Atalig v. OKP (CNMI) Corporation and Does 1-10*, Civil Action No. 06-0119(R).

As you may know, OKP has leased the improvements on Mr. Atalig's property in Ginalangan, Rota, Lot No. 362 R 01, to house OKP's employees and for OKP's office and other purposes, but specifically for the benefit of the Commonwealth Ports Authority's multi-million-dollar project at the Rota International Airport, which based on CPA documents is partly federally-funded. Subsequently, OKP ignored the laws of the CNMI and the specific provisions of the Lease and damaged, destroyed, and removed artifacts, trees and plants, soil and minerals, and preexisting improvement(s) by using heavy equipment that are insured and used for the CPA extension project. Needless to say, OKP failed to obtain an earthmoving permit from DEQ, HPO, and other regulatory agencies. OKP failed to obtain the prior written consent of Mr. Atalig, as required under the Lease, before OKP conducted the illegal and impermissible activities. Despite Mr. Atalig's good faith efforts to try to resolve the dispute short of litigation, OKP and Mr. Brian M. Chen's dirty tactics retarded any chance of an amicable resolution.

mailed 6/5/06
am

Ltr. to CPA re: Second OGA request
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Consequently, on March 23, 2006, Mr. Atalig filed a lawsuit against OKP for the damage, destruction, and removal of original and priceless Chamorro and Japanese artifacts, permanent trees, soil and minerals, and preexisting improvement(s), despite being forewarned at least twice of the presence of the artifacts, i.e., Latte Stones, Japanese water tank, Japanese washing basin, etc.

Throughout the course of litigation, it has become apparent that OKP wants to play dirty.¹ For example, OKP has allowed some of its employees, and counsel, to lie and/or make misleading statements under penalty of perjury.² Furthermore, OKP, and its counsel, has encouraged and instructed witnesses that were subpoenaed for a deposition not to show up at the noticed deposition. OKP's counsel, by his own initiative or by instruction, went so far as to lie that he represents all of the subpoenaed witnesses who are OKP employees in order to prevent Mr. Atalig's counsel from communicating with any of them. As will be shown upon completion of the deposition transcript of one of the subpoenaed witnesses who complied with the lawful subpoena, Mr. Frink lied to Mr. Atalig and the Court that Mr. Frink represents all the OKP employees who were subpoenaed.

Although it is unfortunate that CPA has "contracted"³ with an agent who has no problem lying under penalty of perjury, and who has no problem lying to the Court, and who has no problem interfering with the witnesses who were subpoenaed, and who has no problem violating the laws of the CNMI, and who has no problem violating any provisions of a valid Lease, it is possible that the parent company, Or Kim Peow Contractors (PTE) Ltd., who is apparently the alter ego of OKP (CNMI) Corporation, is different.

Therefore, in light of the foregoing, on behalf of my Client, Mr. Joaquin Q. Atalig, and pursuant to the Open Government Meetings and Records Act, which is codified at 1 CMC § 9901, *et seq.*, I respectfully request that you make available for inspection and/or copying, within 10 days, the following:

1. Any and all change orders, including all accompanying and related documents, to the Construction Contract (the "Construction Contract") between the Commonwealth Ports Authority ("CPA") and OKP (CNMI) Corporation ("OKP") for the Rota International Airport Runway 09/27 Extension (the "Project") -- Phase I Project No. CPA-RA-001-03 / AIP No. 3-69-0003-19. Please include, but do not limit it to, all the documents mentioned in the attached Exhibit A.
- ② Any and all fully-executed contract(s) between CPA and OKP. For purposes of this specific request, "fully-executed contract(s)" means a contract that was approved by

¹ Mr. Atalig is willing to meet with you and/or provide your office all the pleadings and papers that show OKP's dirty maneuvers, strategies, and tactics. Since CPA is the Sponsor under the Grant Agreement, Mr. Atalig feels that it is important that CPA be informed as much as possible.

² Mr. Atalig has, for the most part, addressed all the lies, misrepresentations, and misleading statements in papers submitted to the Court and in correspondences.

³ On information and belief, there is still no fully-executed construction contract.

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7. Any and all information proving that any steel or manufactured products used or to be used for the Project are manufactured in the United States.
8. Part V, Assurances dated 3/2005, which are attached to and made a part of the Grant Agreement in lieu of the Assurances which accompanied the Project Application dated May 4, 2005. Please include the Assurances which accompanied the Project Application dated May 4, 2005.
9. All requests for cash drawdowns pursuant to Section 11 of the Grant Agreement, including but not limited to, all drawdown schedules.
10. All letters, correspondences, and communications with the FAA regarding OKP and/or the Project after March 23, 2006.
11. Any and all letters, correspondences, and communications from the FAA regarding any increase(s) of the grant amount of the Project.
12. All documents proving CPA's fee simple ownership of the land on which OKP is improving pursuant to the Project, including but not limited to, existing fee title and easement interests in the Runway Protection Zone, as required under Section 14 of the Grant Agreement.
13. Any and all construction management program as required under Section 15 of the Grant Agreement.
14. The name of the person representing CPA who has overall responsibility for contract administration for the Project and the authority to take necessary actions to comply with the contract, as required under Section 15.a.1) of the Grant Agreement, including the name of the person currently taking such responsibilities and authority.
15. The names of testing laboratories and consulting engineer firms with quality control responsibilities on the Project, together with a description of the services to be provided, as required under Section 15.a.2) of the Grant Agreement, including the names of testing laboratories and consulting engineer firms who are/were actually retained.
16. Please provide any information whether Mr. Prasada Reddy Goluguri is the person or firm who is responsible for quality control on the Project. As you may know, Mr. Goluguri is a Non-Resident employee of OKP. Mr. Goluguri's position title that was submitted to the Department of Labor, by OKP, is Project Engineer. Although I do not know whether Mr. Goluguri is licensed to practice here in the CNMI, I request that you confirm whether he is the Quality Control person as required under Section 15.a.2) of the Grant Agreement. Please see attached Exhibit B, which shows that Mr. Goluguri is certifying some documents as a Quality Control Administrator. Also, please provide the attachments as mentioned in Exhibit B, i.e., "Submittal No. 006 and 030." If Mr. Goluguri is the person responsible for quality control as required

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under Section 15.a.2) of the Grant Agreement, please provide all "submittals" or certifications that have been submitted to CPA.

17. The attached email to OKP's March 27, 2006 letter to Juan C. Tenorio, P.C. Please see attached Exhibit C, which was previously provided by CPA. The email is purportedly from OKP's Airport Lighting Supplier seeking clarification on the specifications related to the L861 and L862 fixture. Please include any and all responses from CPA and Juan C. Tenorio, P.C., to OKP's March 27, 2006 letter.
18. The "Sponsor Certification for Equipment/Construction Contracts, executed October 28, 2005, which certifies the construction contract between the Commonwealth of the Northern Mariana Islands and the selected contractor (OKP CNMI Corporation)," as indicated on the attached Exhibit D.
19. Addendum No. 1 (dated May 10, 2005), Addendum No. 2 (dated May 27, 2005), Addendum No. 3 (dated June 8, 2005), Addendum No. 4 (dated June 15, 2005), Addendum No. 5 (dated July 7, 2005), and any other Addenda, to the Bid Proposal to the Commonwealth Ports Authority for the Project.
20. All documents and information that shows compliance with Title 49 CFR Part 23 with regards to the Project. OKP has assured compliance with Title 49 CFR Part 23 relating to Disadvantaged Business Enterprise Participation. Please see attached Exhibit E. Please provide the percentage of Disadvantaged Business Enterprise participation for this Project.
21. All documents and information relating to Bidder's Statement on Previous Contracts Subject to EEO Clause as indicated on the attached Exhibit F.
- ✓ 22. "Bidder's Qualification Statement" submitted by OKP (CNMI) Corporation, which was incorporated in the CNMI on May 3, 2005, for the Project.
23. Any and all information regarding any other bids submitted by OKP for any other CPA projects.
24. List of all construction contractors that have ever contracted with CPA since January 1, 2000.
25. All documents regarding the paving at the Saipan International Airport.
26. All documents relating to E.M. Chen & Associates (CNMI), Inc., including but shall not be limited to, contracts, agreements, relationship to Mr. Brian M. Chen, who is an officer and shareholder of OKP. Please see attached Exhibit G, which seems to show that Mr. Toh Wat Or faxed OKP's May 20, 2005 letter, among other things, to E.M. Chen & Associates, and then the letter was faxed to CPA. Please include any documents and information whether E.M. Chen & Associates is an agent or contractor of CPA or OKP.

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27. Any and all documents and information relating to the monitoring of OKP for compliance with all the conditions as set forth in the Construction Contract and the Grant Agreement, including all the documents incorporated therein. Please include, but do not limit it to, compliance with minimum wage requirements that "[a]ll mechanics and laborers on the Project shall be paid no less than the current minimum rate established by the CNMI, CNMI Government Directive Order No. 241 effective January 1, 2001 with minimum \$6.25 per hour or the U.S. Secretary of Labor, whichever is higher," as provided in the Amended Notice to Bidders, dated June 17, 2005, and whether OKP maintains an affirmative action program.
28. The "Rota EA," the "ROD," as mentioned in Mr. Dashiell's April 3, 2006 email, which is attached as Exhibit H.
29. Any and all documents indicating the amount of liquidated damages in the event that OKP does not complete the Project on time.
30. Any and all documents pertaining to all "local subcontractors on Rota for backfill materials." On information and belief, OKP is paying 40 cents per cubic yard to quarry materials from private and/or public lands. Please include, but do not limit it to, any documents and information regarding how much material has been quarried by OKP from private and/or public lands for the Project.
31. Any and all documents showing whether OKP is subcontracting with the Commonwealth Utilities Corporation for free or charged water. Please see attached Exhibit I.
32. Any and all other documents, materials, and/or things not mentioned above pertaining to OKP that were not previously provided to Mr. Atalig for inspection because either it was exempted before but is not now, or has been received or generated by CPA after Mr. Atalig had inspected the files on April 21, 2006.

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Let. to CPA re: Second OGA request
Page 7 of 7

Please contact my office to set up the appointment. After inspection, my Client is willing to pay a reasonable charge for duplication of any document or material that he requests to be duplicated.

If you should have any questions, please feel free to contact me. Thank you very much for your time and understanding.

Sincerely,



RAMON K. QUITCHOCHO, ESQ.

Cc: Joaquin Q. Atalig, Client
Douglas F. Cushnie, CPA Legal Counsel
Matthew T. Gregory, Attorney General of the CNMI
Kate Fuller, Assistant Attorney General, DEQ
Sean Lynch, Assistant Attorney General, HPO
Faride Komisar, Department of Interior-Office of Insular Affairs
Ron V. Simpson, Federal Aviation Administration
Advisory Council on Historic Preservation



COMMONWEALTH PORTS AUTHORITY

Main Office: SAIPAN INTERNATIONAL AIRPORT
P.O. BOX 501055 • SAIPAN • MP 96950-1055
Phone: (1-670) 664-3500/1 FAX: (1-670) 234-5962
E-Mail Address: cpa.admin@saipan.com Website: cpa.gov.mp

Handwritten notes: *F1*, *13*, *20*

March 7, 2006

Mr. Juan C. Tenorio, P.E.
President
Juan C. Tenorio P.C. Consulting Engineers
PO Box 500551
Saipan, MP 96950

Dear Mr. Tenorio:

Subject: Rota International Airport Runway 09/27 Extension – Phase I
AIP No. 3-69-0003-19
Proposed Changes and Clarification

We are transmitting herewith the following documents for your review and coordination with the contractor, as follows:

- a. Two (2) Sets of Proposed Change Order No. 1 justification and specifications.
- b. Two (2) Sets of Proposed Change Order No. 2 justification and revised Drawing No. E-3 and E-6.
- c. Response to OKP (CNMI) Corporation's request for clarification dated February 13, 2006.

Please review OKP's proposals for change order nos. 1 and 2 and make recommendation to CPA to reflect as change orders.

Should you require additional information, please do not hesitate to contact our Staff Engineer, Mr. Juan R. Sablan.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee C. Cabrera".

LEE C. CABRERA
Executive Director/Contracting Officer

Enclosures

cc: FAA Honolulu
Staff Engineer
Comptroller
Rota Ports Manager





OKP (CNMI) CORPORATION



To: Juan C. Tenorio, P.C.
P.O. Box 500551
Saipan, MP 96950

Date: March 20, 2006

Subject: Rota International Airport Runway
09/27 Extension – Phase 1
AIP Project No. 3-59-0003-19

Gentlemen:

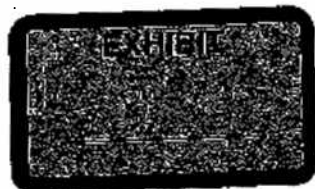
Attached is Submittal No. 006 for your review and approval. This submittal is certified by

Quality Control Administrator Prasada Reddy Goluguri

Item No.	Reference	Description
1	Item P-152-2.2	Topographic Survey Drawings (Resubmission)

Sincerely


Yee, Chee Keong
Project Manager



Add : P O Box 511593
Rota, MP96951
Tel : +1(670) - 532 0168
Fax : +1(670) - 532 0169

Add : P O Box 10001, PMB A-25
Saipan MP 96950-8801
Tel : 671-8980798
Email : okpcnmi@okph.com
Website : <http://www.okph.com>



OKP (CNMI) CORPORATION

To: Juan C. Tenorio, P.C.
P.O. Box 500551
Saipan, MP 96950

Date: March 31, 2006

Subject: Rota International Airport Runway
09/27 Extension - Phase 1
AIP Project No. 3-09-0003-19

Gentlemen:

Attached is Submittal No. 030 for your review and approval. This submittal is certified by
Quality Control Administrator Prasad Reddy Goluguri

Item No.	Reference	Description
1	Item P-152-2.2e	Compaction Test Report for 2 nd Layer Subgrade Blast Pad West End (Sta. -0+50 to Sta. -2+00)

JUAN C. TENORIO, P. C.

☒ NO EXCEPTIONS TAKEN ☐ MAKE CORRECTIONS AS NOTED
☐ REJECTED ☐ REVISE SPECIFIED ITEMS
☐ SUBMIT SPECIFIED ITEM

Corrections or comments made on the shop drawings during this review do not relieve contractor from compliance with requirements of the drawings and specifications. This check is only for review of general conformance with the design concept of the project and general conformance with the information given in the contract documents. The contractor is responsible for confirming and correcting all quantities and dimensions, furnishing equipment and materials as specified, selecting fabrication processes and techniques of construction; coordinating his work with that of all other trades; and performing his work in a safe and satisfactory manner.

Reviewed by: _____

Date: 4/3/06

Sincerely,

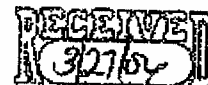
Yee, Chea Keong
Project Manager

Add : P O Box 611593
Rota, MP 96951
Tel : +1(670) - 532 0168
Fax : +1(670) - 532 0169

Add : P O Box 10001, PMB A-25
Saipan MP 96950-8901
Tel : 671-8980798
Email : okpcnmi@okph.com
Website : <http://www.okph.com>



OKP (CNMI) CORPORATION



Our Ref. OKP/ROTA/CPA/06-009

Date: March 27, 2006

To: Juan C. Tenorio, P.C.
P. O. Box 500551
Saipan MP 96950

Subject: Rota International Airport Runway
09/27 Extension - Phase 1
AIP Project No. 3-69-0003-19

Gentlemen,

RE: Clarification on Specification Section L-125

- 1) Attached is an e-mail from our Airport Lighting Supplier seeking clarification on the specifications related to the L861 and L862 fixture.
- 2) Would appreciate if you could assist us in answering their questions.
- 3) Thank you.

Yours Faithfully,

A handwritten signature in black ink, appearing to be 'Yee, Chee Keong'.

Yee, Chee Keong
Project Manager



Add: P O Box 511593
Rota, MP98051
Tel : +1(670) - 532 0168
Fax : +1(670) - 532 0169

Add : P O Box 10001, PMB A-25
Saipan MP 96950-8901
Tel : 671-8980798
Email: okpcnmi@okph.com
Website : http://www.okph.com



COMMONWEALTH PORTS AUTHORITY

Main Office: SAIPAN INTERNATIONAL AIRPORT
P.O. BOX 501055 • SAIPAN • MP 96950-1055
Phone: (1-670) 664-3500/1 FAX: (1-670) 234-5962
E-Mail Address: cpa.admin@saipan.com Website: cpa.gov.mp

12-29-05

December 22, 2005

FAXED
12/29/05

Mr. Toh Wat Or
Vice President
OKP (CNMI) Corporation
P.O. Box 501777
Saipan, MP 96950

Dear Mr. Or:

Subject: Rota International Airport Runway 09/27 Extension - Phase I
AIP No. 3-69-0003-19
Notice to Proceed

The Commonwealth Ports Authority (CPA) has completed the review of your contract submittal for the subject project, which included the construction contract, performance and payment bonds, certificate of insurance liability, list of equipment and confirmed list of subcontractors. We concluded that the submittal is in conformance to the specification requirements and have received FAA's concurrence to issue a Notice to Proceed. The Construction Contract is being routed for signatures through other CNMI government regulatory agencies. An executed copy will be provided to your office upon completion.

CPA hereby issues this official Notice to Proceed (NTP), set for Monday, January 16, 2006. In accordance with the 360-calendar day construction period, the completion date will be Wednesday, January 10, 2007.

A pre-construction conference has been scheduled for Friday, January 20, 2006 at 10:00 a.m. at the Rota International Airport Conference Room to discuss the project in length. Please coordinate with our Staff Engineer if this time and place is unworkable for you.

Should you require additional information, please do not hesitate to call.

Sincerely,

A handwritten signature in black ink, appearing to read "Lee C. Cabrera".

LEE C. CABRERA
Executive Director/Contracting Officer

Enclosures

cc: Federal Aviation Administration
Department of Public Works
CPA Board of Directors
CPA Staff Engineer
CPA Comptroller



PORT OF SAIPAN
P.O. Box 501055, Saipan MP 96950-1055
Tel: (1-670) 664-3550 / 1 Fax: (1-670) 322-4710

ROTA INTERNATIONAL AIRPORT / SEAPORT
P.O. Box 551, Rota MP 96951
Tel: (1-670) 532-9497 Fax: (1-670) 532-9499

WEST TINIAN AIRPORT / SEAPORT
San Jose Village, Tinian MP 96952
Tel: (1-670) 438-9294 Fax: (1-670) 438-0790

**BIDDER'S ASSURANCE OF COMPLIANCE WITH TITLE 49 CFR PART 23
RELATING TO DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION**

The bidder hereby gives assurance pursuant to the requirements of Title 49 CFR Part 23 that bidder has made a reasonable effort to meet the goals for Disadvantaged Business Enterprise participation of ____%* of the amount of this bid. Bidder further gives assurance that specifications, including the Listing of Disadvantaged Business Enterprises with which the bidder will subcontract if the contract is awarded and if bidder is unable to meet the contract goals for DBE participation, of the steps bidder has taken to obtain DBE participation.

Toh Wat Or, Vice President

(Name and Title of Signer)



Signature

July 22, 2005

Date

Company Name

OKP (CNMI) Corporation

Business Address

P. O. Box 1777, Saipan, MP 96950

- * Bidder shall insert the percentage for DBE participation even if the percentage is less than that of the contract goal.



**BIDDER'S STATEMENT
ON PREVIOUS CONTRACTS SUBJECT TO EEO CLAUSE**

The Bidder shall complete the following statement by checking the appropriate boxes.

The Bidder has ☐ has not ☒ participated in a previous contract subject to the equal opportunity clause prescribed by Executive Order 11246, as amended, of September 24, 1965.

The Bidder has ☐ has not ☒ submitted all compliance reports in connection with any such contract due under the applicable filing requirements; and that representations indicating submission of required compliance reports signed by proposed subcontractors will be obtained prior to award of subcontracts.

If the Bidder has participated in a previous contract subject to the equal opportunity clause and has not submitted compliance reports due under applicable filing requirements, the bidder shall submit a compliance report on Standard Form 100, "Employee Information Report EEO - 100 I," prior to award of the contract.

Certification: The information above is true and complete to the best of my knowledge and belief.

NAME & TITLE OF SIGNER (Please Type):

Toh Wat Or, Vice President

SIGNATURE:

[Signature]

DATE:

July 22, 2005

NOTE: The penalty for making false statements in offers is prescribed in 18 U.S.C. 1001.

THIS STATEMENT MUST BE COMPLETED AND RETURNED
IN THE ENVELOPE CONTAINING THE BID.



**OKP (CNMI) CORPORATION**

20th May 2005

Mr. Carlos H. Salas
Executive Director/Contracting Officer
Commonwealth Ports Authority
P. O. Box 501055
Saipan, MP 96950

Subject: Rota International Airport Runway 09/27 Extension

Dear Mr. Salas:

There are questions on the subject project as follows. Please provide answers to us.

1. There is bid item of L-100, but there is no specification. Please provide specification.
2. On the Pre-Bid Conference Agenda, Item IV, 10, it will add PAAP's PML's and a new Windswept, and 35' Shoulder on Addendum No. 1. We received Addendum No. 1, but it did not specify these items.
3. Regarding lighting fixtures:
 - a. Lighting Fixture L-862 (Elevated Runway Edge Lightings) - What color of lighting fixture will be using for this project?
 - b. Lighting Fixture L-858Y (Signs) - Please be advised what legends we are going to make? Are these locations, as the pointed arrows on the attached two (2) sketches, will install signs?
 - c. Lighting Fixture L-830C (Flush Mounted Runway Edge Lights) - What color of lighting fixture will be using for this project?
4. On Bid Schedule, page LP-5-5 of 5, Item F-162 (ii), there is a line item of Walkway Gate. There is no Walkway Gate on Drawing No. 02 and there is no detail on Drawing No. F1.

Yours faithfully,

OKP (CNMI) CORPORATION

OR TORWAT
Executive Director



PO Box 1777, Saipan, MP96950
Tel: 671 6385798
Email: orinhuat@okp.com

CPA Engineering-PTI

From: "Eugene Dashiell" <dashiell.e@hawaiiantel.net>
To: "Juan Tenorio" <juanten@tniguam.com>; "Juan Sablan" <cpa.engr@saipan.com>
Cc: "AKIHIKOSINOTO@aol.com" <AKIHIKOSINOTO@aol.com>
Sent: Monday, April 03, 2006 12:23 PM
Attach: transparent.gif; custID22adID57.jpg
Subject: OKP destroys historic sites allegedly?

Rota Roy Ext-1000-00

Hi all,

Rota EA, the ROD, and the Sec. 106 require all construction activities for the project be covered by the proper governmental authorizations. If this contractor is not complying, even if staging on private or other property, the entire project may be endangered.

Gene

SAIPANTRIBUNE.COM

Friday March 24, 2006 **SUBSCRIBE | ADVERTISE | CONTACTS | ARCHIVES** Volume 16 Issue 83

Firm allegedly destroyed Latte stones

A Rota landowner filed yesterday a \$32.8 million lawsuit against a construction company for allegedly destroying and desecrating original Latte stones and other historical artifacts found on the leased property.

Joaquin Q. Atalig sued OKP (CNMI) Corp. and 10 unnamed co-defendants for breach of contract, conversion, negligence, unjust enrichment, nuisance, and indemnification.

Atalig, through counsel Ramon K. Quichocho, asked the Superior Court to order OKP Corp. to pay \$13.3 million in punitive damages and \$19.5 million in property and economic damages.

Quichocho alleged that the defendant's action amounts to cultural and historical "terrorism" against the "Chamorro people, pure and simple."

Quichocho said that ancient Chamorros painstakingly carved and created the Latte stones more than 3,000 years ago. He said these stones represent the Chamorro culture, tradition and beliefs.

In December 2005, the lawyer said, several original Latte stones were on what is now the real property of Atalig in Ginalangan, Rota. In January 2006, though, when OKP leased the improvements on Atalig's land, he said the defendant "wiped away a lot of the history, culture and economic advantage" of the property.



4/3/2006

This happened, Quichocho said, when OKP used heavy equipment to clear the land containing Latte stone clusters, Japanese structures, and other artifacts without the required permits from the Historic Preservation Office, the Division of Environmental Quality, and other regulatory agencies, and without the written consent of Atalig.

"The destruction, desecration and obliteration of the cultural and historical artifacts and other things of value took less than three months into the lease term," he said.

Quichocho said that, for many decades, the Latte stone clusters and certain Japanese structures, including a Japanese water tank and washing basin, sat serenely on Atalig's land.

OKP was awarded an \$8.6 million contract by the Commonwealth Ports Authority to improve the Rota Airway runway. As part of that operation, OKP leased Atalig's property in November 2005.

Due to the magnitude of OKP's project, the company knew that governmental permits are required before any land clearing activities are conducted, Quichocho said.

The lawyer said that on Nov. 2, 2005, Atalig and OKP executed a lease agreement for the 49,998 square meters of land. The lease was for 13 months commencing in December 2005 and ending on Dec. 31, 2006 at a monthly rate of \$3,000.

In January 2006, Quichocho said that, despite being warned not to clear the areas where the cultural and historical artifacts lay, OKP used heavy equipment to clear the land in order to erect other structures.

OKP allegedly bulldozed valuable trees, he said, adding that on Jan. 17, 2006, his client sent a notice of default and violations to defendant.

OKP, however, argued that it did not violate any of the terms of the agreement, Quichocho said.

Story by Ferdie de la Torre
Contact this reporter



**LAW OFFICES OF
RAMON K. QUICHOCHO, LLC**

2nd Floor • V.S. Sablan Building • Chalan Piao

P.O. Box 505621 • Saipan, MP • 96950

Phone: 670.234.8946

Fax: 670.234.8920

E-mail: rayq@vzpacifica.net

June 1, 2006

Mr. Anthony Guerrero
Acting Executive Director
COMMONWEALTH UTILITIES CORPORATION
P.O. Box 501220
Saipan, MP 96950

and

Mr. Charles Manglona
Deputy Director
COMMONWEALTH UTILITIES CORPORATION
Rota, MP 96951

Re: Open Government Act request.

Dear Messrs. Guerrero and Manglona:

Attached are copies of two photos that were taken yesterday along Route 100, in Ginalangan, Rota. As the picture shows, OKP (CNMI) Corporation appears to be getting water from CUC source. On information, OKP is getting its water from CUC without charge. OKP is perhaps using the (free) water for its multi-million-dollar project with the Commonwealth Ports Authority. Although the truck used is clearly an OKP truck, there is no license plate visible to identify the truck.

On behalf of my Client, Mr. Joaquin Q. Atalig, and pursuant to the Open Government Meetings and Records Act, which is codified at 1 CMC § 9901, *et seq.*, I respectfully request that you make available for inspection and/or copying, within 10 days, the following:

1. All documents, contracts, agreements, permits, licenses, authorizations or any other record regarding the authority or permission given to OKP (CNMI) Corporation, or any of its agents or representatives, to get free water or for a charge.
2. All documents, files, Board minutes, staff minutes and notes, and materials pertaining to OKP (CNMI) CORPORATION.



*mailed
6/1/06*



cc: to CUC re: from water for OKP
Page 2 of 2

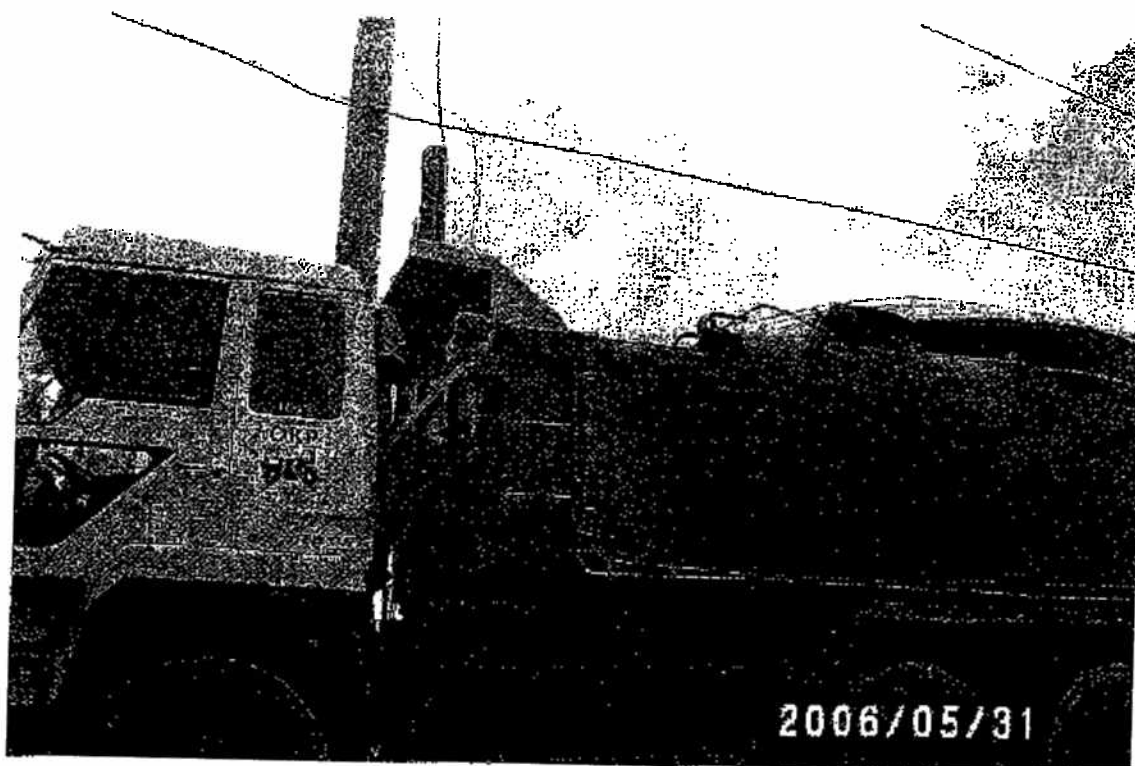
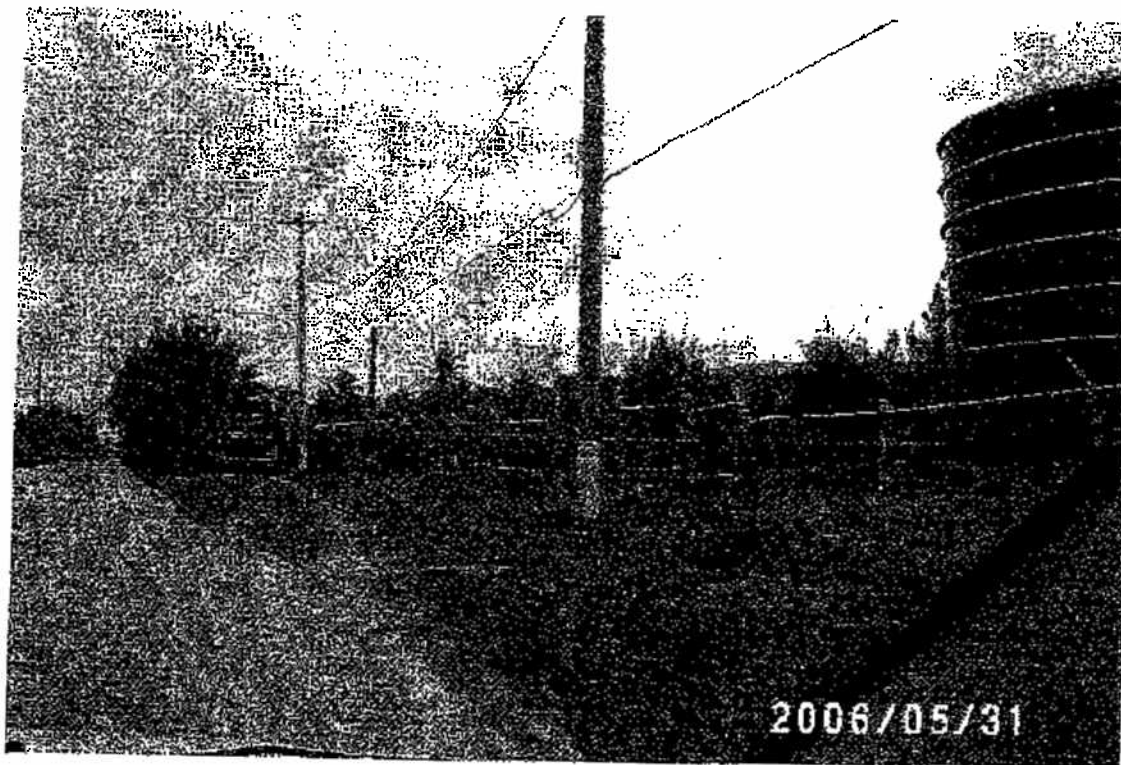
3. All correspondences, memoranda, permits, licenses, contracts, and agreements between the Commonwealth Utilities Corporation and OKP (CNMI) CORPORATION or any of OKP's agents or representatives.
4. Any and all other documents, materials, and/or things not mentioned above pertaining to OKP (CNMI) CORPORATION and/or any of its agents or representatives.

Please contact my office to set up the appointment. After inspection, my Client is willing to pay a reasonable charge for duplication of any document or material that he requests to be duplicated. If you should have any questions, please feel free to contact me. Thank you.

Sincerely,


RAMON K. QUICHOCHO, ESQ.

Cc: Client
Department of Public Safety, Saipan
Department of Public Safety, Rota





E-FILED
CNMI SUPERIOR COURT
E-filed: Jul 31 2006 12:40PM
Clerk Review: Jul 31 2006 2:52PM
Filing ID: 11929652
Case Number: 06-0119-CV
Elsa Duenas

A handwritten signature in black ink, appearing to be "Elsa Duenas", is written over the typed name.

EXHIBIT J



**LAW OFFICES OF
RAMON K. QUICHOCHO, LLC**

2nd Floor • V.S. Sablan Building • Chalan Piao

P.O. Box 505621 • Saipan, MP • 96950

Phone: 670.234.8946

Fax: 670.234.8920

E-mail: rayq@vzpacifica.net

VIA FACSIMILE AND U.S. MAIL

June 14, 2006

Mr. Reno Celis
Executive Director
COMMONWEALTH PORTS AUTHORITY
P.O. Box 501055
Saipan, MP 96950

Re: OKP (CNMI) Corporation's "engineer" is not licensed to practice in the CNMI.

Dear Mr. Celis:

Please see the attached letter, from the Board of Professional Licensing for the Commonwealth of the Northern Mariana Islands, which clearly show that Mr. Prasada Reddy Goluguri is not licensed to practice any branch of engineering in the CNMI, yet he is listed as the "Project Engineer" for your contractor/agent OKP (CNMI) Corporation.

Therefore, on behalf of my Client, Mr. Joaquin Q. Atalig, and pursuant to the Open Government Meetings and Records Act, which is codified at 1 CMC § 9901, *et seq.*, I respectfully request that you make available for inspection and/or copying, within 10 days, the following:

1. Any and all documents, records, and information in which Mr. Prasada Reddy Goluguri has practiced any branch of engineering in the CNMI on behalf of CPA's contractor/agent, OKP (CNMI) Corporation, or CPA.

Please contact my office to set up the appointment. After inspection, my Client is willing to pay a reasonable charge for duplication of any document or material that he requests to be duplicated.

If you should have any questions, please feel free to contact me. Thank you very much for your time and understanding.

FAXED
6/15/06
10:20
are

mailed 6/15/06
are

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Quichocho', written over a horizontal line.

RAMON K. QUICHOCHO, ESQ.

Cc: Joaquin Q. Atalig, Client
Douglas F. Cushnie, CPA Legal Counsel
Matthew T. Gregory, Attorney General of the CNMI
Kate Fuller, Assistant Attorney General, DEQ
Sean Lynch, Assistant Attorney General, HPO
Faride Komisar, Department of Interior-Office of Insular Affairs
Ron V. Simpson, Federal Aviation Administration



BOARD OF PROFESSIONAL LICENSING
Commonwealth of the Northern Mariana Islands -

P.O. Box 502078
Saipan, MP 96950
Tel. No.: (670) 234-5897
Fax No.: (670) 234-6040

June 9, 2006

Mr. Ramon K. Quichocho
P.O. Box 505621
Saipan, MP 96950

Re: Mr. Prasada Goluguri

Dear Mr. Quichocho,

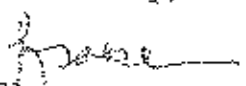
This is to reply to your 6/5/06 inquiry whether Mr. Goluguri is licensed to practice engineering in the CNMI.

We have no record on file showing that Mr. Prasada Reddy Goluguri is licensed to practice any branch of engineering in the CNMI.

We will inform OKP (CNMI) Corporation that Mr. Goluguri should not be using the title "engineer" since he is not licensed to practice that profession.

If you have further inquiries to this regards please do not hesitate to contact our office at 664-4809.

Sincerely,


Florence C. Sablan
Executive Director

xc: File

6/14/06

2:35

EXHIBIT K

LAW OFFICES

Douglas F. Cushnie

POST OFFICE BOX 949

SAIPAN, MP 96950

TELEPHONES (670) 234-6843 - 234-6890

TELEX: 9102607405

CABLE ADDRESS: "ABOGADOS MN UQ"

FAX: (670) 234-9723

VIA FACSIMILE
(670) 234-8920

June 15, 2006

Ramon K. Quichocho
P.O. Box 505621
Saipan, MP 96950

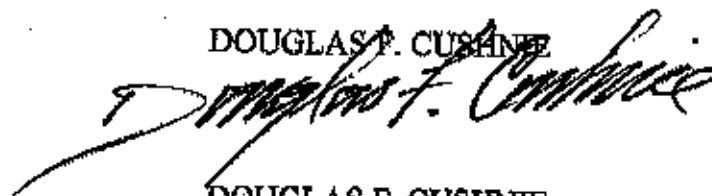
Re: OGA request June 4, 2006

Dear Mr. Quichocho:

The Acting Executive Director of the Commonwealth Ports Authority has requested that I respond to your Open Government Act request dated June 4, 2006, and served June 5, 2006. You refer to OKP (CNMI) Corporation as an "agent" of the Authority. Please be informed that there is no agency relationship between the Authority and OKP (CNMI) Corporation. Accordingly, there are no documents to be produced regarding this aspect of your request. As you seem to be aware, the request is extensive and will require further time to review and secure necessary documents. I shall contact you regarding the remaining as part of your request around June 22, 2006.

Very truly yours,

DOUGLAS F. CUSHNIE



DOUGLAS F. CUSHNIE

DFC/lg

cc: Regino M. Celis
CPA Engineering Office

EXHIBIT L



**LAW OFFICES OF
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Fax: 670.234.8920

E-mail: rayq@vzpacifica.net

**VIA FACSIMILE
670.234.9723**

June 15, 2006

Douglas F. Cushnie, Esq.
LAW OFFICES OF DOUGLAS F. CUSHNIE
P.O. Box 500949
Saipan, MP 96950

Re: Open Government Act request (June 4, 2006).

Dear Mr. Cushnie:

This is in response to your June 15, 2006 letter. First, you said that there is no agency relationship between the Commonwealth Ports Authority ("CPA") and OKP (CNMI) Corporation ("OKP"). Based on my review of the Construction Contract between CPA and OKP, however, it is clear that an agency relationship does exist between CPA and OKP. Specifically, please look at Section 7 of the Construction Contract, which states

This Contract and any interest therein shall not be assigned or transferred by the Contractor; provided that Contractor with the express prior written approval of CPA, may secure such subcontractors and suppliers that are necessary to carry out the work on the Project; and provided further that the Contractor shall remain fully responsible and accountable at all times for the Project and for complying with the terms and conditions of this Contract. Emphasis added.

Furthermore, the Grant Agreement between the U.S. Department of Transportation—Federal Aviation Administration and the Commonwealth Ports Authority ("CPA") specifically states that

The Sponsor shall carry out and complete the Project without undue delays and in accordance with the terms hereof, and such regulations and procedures as the Secretary shall prescribe, and agrees to comply with the assurances which were made part of the project application.

FAXED
5:13

Ltr. to Casabie re: June 15, 2006 ltr.
Page 2 of 2

It seems clear to me that CPA has effectively made OKP the agent of CPA by requiring OKP to be "fully responsible and accountable at all times for the Project and for complying with the terms and conditions of [the Construction] Contract." Although such sweeping delegation of authority and appointment of an agent may contradict the Grant Agreement, CPA has already made known to the world that OKP is CPA's agent.

Accordingly, please produce any and all documents pursuant to Mr. Atalig's Open Government Act request.

Second, you said that you "shall contact me regarding the remaining as part of [my] request around June 22, 2006." I am surprised that you have not scheduled any date for inspection pursuant to the Open Government Meetings and Records Act. You did not even bother to request for an extension if you needed additional time. Had you requested for additional time, Mr. Atalig would have been willing to grant CPA a reasonable extension to comply on the condition that Mr. Atalig be allowed to start review of whatever documents can be made ready while you continue to prepare other documents, rather than force Mr. Atalig to wait until around June 22, 2006, for you to "contact" me, but without any assurance that inspection will be available on a date certain. Please understand that time is of the essence of Mr. Atalig's Open Government Act request.

As such, Mr. Atalig hereby notifies CPA that CPA is in violation of the Open Government Meetings and Records Act. Therefore, please encourage and advise CPA to comply with the Open Government Meetings and Records Act by no later than June 19, 2006, in order to avoid the necessity of further legal action.

Thank you for your cooperation and assistance. If you should have any questions, please feel free to contact me.

Sincerely,



RAMON K. QUICHOCHO, ESQ.

Cc: Joaquin Q. Atalig, Client
Faride Komisar, Department of Interior-Office of Insular Affairs
Ron V. Simpson, Federal Aviation Administration

EXHIBIT M

LAW OFFICES

Douglas F. Cushnie

POST OFFICE BOX 949
SAIPAN, MP 96950
TELEPHONES (670) 234-6843 • 234-6630
TELEX: 9102507408
CABLE ADDRESS: "ABOGADOS MN UQ"
FAX: (670) 234-9723

VIA FACSIMILE

(670) 234-8920

June 22, 2006

Ramon K. Quichocho
P.O. Box 505621
Saipan, MP 96950

Re: OGA request June 4, 2006

Dear Mr. Quichocho:

The Acting Executive Director has requested I respond to your Open Government Act request dated June 4, 2006. This response will be addressing the numbered items listed in the request. Before responding to your request however, I do wish to take note of the contents of the request. You have made various assertions and accusations against OKP (CNMI) Corporation and its lawyers. The Commonwealth Ports Authority does not have any comment with respect to your various statements and therefore will not acknowledge whether they do or do not have any basis in fact. Responses contained herein will be directed to only those requests that conform with the requirements of 1 CMC §§9917 and 9918.

1. There are no fully executed Change Orders on this project.
2. The Construction Contract is available for inspection.
3. Plans and specifications will be provided for inspection.

RECEIVED	
LAW OFFICES OF	
RAMON K. QUICHOCHO, LLC	
Date: 6/24/06	Time: 2:03
By: <i>[Signature]</i>	
<input type="checkbox"/> Delivery	<input checked="" type="checkbox"/> Mail <input type="checkbox"/> Fax

Douglas F. Cushnie

PAGE Two
Ramon K. Quichocho
06/22/06

4. This is an improper request requiring conclusions of law and fact is not a mere request for documents.

5. The application for federal assistance will be provided for inspection. The plans and specifications are included in Request No. 3.

6. The Grant Agreement will be provided for inspection.

7. This is an improper request requiring fact and legal determinations.

8. The Part V assurances are attached to the Grant Agreement which is provided in Request No. 6. In further response there are no assurances which accompanied the project application dated May 4, 2005.

9. These records are available for inspection.

10. Letters and correspondence with FAA regarding the project after March 23, 2006 will be provided for inspection.

11. No public records currently exist.

12. Ownership documents are included in the application for federal assistance responded to in Paragraph 5.

13. This request is currently under review and will be responded to at a later time.

14. This is an improper request, not being one for public records.

15. This request is under review and will be responded to at a later date.

16. This is essentially an improper request not in conformance with the requirements of the Open Government Act. To the extent that the request is for submittals on this project, the submittals will be provided for inspection.

17. This material will be provided, if available, at a later date.

Douglas F. Cushnie

PAGE Three
Ramon Quichocho
06/22/06

18. This material will be provided for inspection and is part of Request No. 5.

19. Addendas Numbered 1 thru 5 will be provided for inspection.

20. This request is objectionable and improper in that it does not comply with the provisions of the Open Government Act, factual and legal conclusions being requested.

21. There is no additional public record aside from the Exhibit F form.

22. This request is subject to review and a response will be provided at a later time.

23. This is an improper request not compliance with the Open Government Act.

24. No such list is maintained.

25. This request is improper, that it does not identify the paving project requested, thus is not susceptible of a response.

26. This is an improper request that it is not a request for public records but a request for information. To the extent that it is a request for public records, none are in the possession of the Authority.

27. This request is currently being checked and if subject to release will be provided for inspection.

28. The Rota Environmental Assessment and ROD will be provided for inspection.

29. Documents relating to liquidated damages have been provided in the plans and specifications previously noted.

30. This request is subject to further examination and if public records are

Douglas F. Cushnie

PAGE Four
Ramon K. Quichocho
06/22/06

available for release will be provided for inspection at a later date.

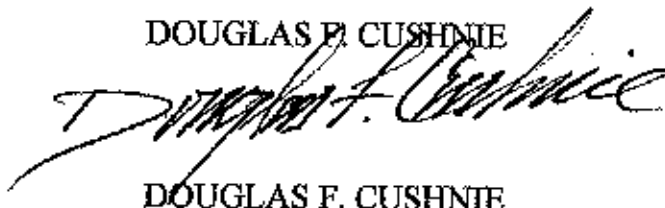
31. No such records are held.

32. This is an improper request not within the scope of Sections 9917 and 9918 of the OGA.

The foregoing records may be available for inspection on June 26, 2006 at 9:30 a.m. at the Office of the Engineering Department, Commonwealth Ports Authority, located at Saipan International Airport.

Very truly yours,

DOUGLAS F. CUSHNIE

A handwritten signature in black ink, appearing to read "Douglas F. Cushnie", is written over the typed name.

DOUGLAS F. CUSHNIE

DFC/lg



E-FILED
CNMI SUPERIOR COURT
E-filed: Jul 31 2006 12:40PM
Clerk Review: Jul 31 2006 2:52PM
Filing ID: 11929652
Case Number: 06-0119-CV
Elsa Duenas

A handwritten signature in black ink, appearing to read "Elsa Duenas", is written over the printed name.

EXHIBIT N



**LAW OFFICES OF
RAMON K. QUICHOCHO, LLC**

2nd Floor • V.S. Sablan Building • Chalan Piao

P.O. Box 505621 • Saipan, MP • 96950

Phone: 670.234.8946

Fax: 670.234.8920

E-mail: rayq@vzpacifica.net

**VIA FACSIMILE and MAIL
670.234.9723**

June 25, 2006

FAXED
JUN 26 2006
8

Douglas F. Cushnie
P.O. Box 500949
Saipan, MP 96950

Re: Open Government Act request (June 4, 2006).

Dear Mr. Cushnie:

This is in response to your June 22, 2006 letter. First, you mentioned that the Commonwealth Ports Authority ("CPA") "does not have any comment with respect to [my] various statements and therefore will not acknowledge whether they do or do not have any basis in fact." Mr. Atalig only thought it appropriate to share some information with CPA as the Sponsor of the project and as OKP's principal. Of course, it is CPA's prerogative to take whatever action or inaction it deems appropriate. Mr. Atalig understands. He, however, merely provided some information that he thought might be helpful to CPA, and others, in understanding the dispute between Mr. Atalig and CPA's agent OKP (CNMI) Corporation ("OKP").

Second, you mentioned that "[r]esponses contained [in your letter] will be directed to only those requests that conform with the requirements of 1 CMC §§ 9917 and 9918." Please see attached copy of sections 9917 and 9918 marked as Exhibit 1. As you can see, the section 9917 and section 9918 "requirements" are requirements that CPA must comply with, not Mr. Atalig or any other citizen requesting for documents and records. Contrary to what you are insinuating, sections 9917 and 9918 do not require that a certain format or form be used by any person requesting for public records. Rather, it is the public entity, in this case CPA, that is required to comply with certain requirements in case CPA wants to withhold public records, i.e., identify the specific exemption and a brief explanation of how the exemption applies to the record withheld. In fact, CPA continues to violate Mr. Atalig's right to access public records in CPA's possession, control, and custody, despite specific warning to comply with the Open Government Meetings and Records Act.

Interestingly, your June 22, 2006 letter is more of an invitation to file a lawsuit against CPA for violation of the Open Government Meetings and Records Act rather than a good faith attempt to comply fully with the requirements of sections 9917 and 9918—the sections that you are trying to use as a “sword” against Mr. Atalig. Unless you know of any amendment to sections 9917 and 9918, all “requirements” are requirements that CPA must comply with or else there will be consequences.

So, for CPA to improperly withhold public records, documents, materials, and information on the misguided belief that sections 9917 and 9918 set forth “requirements” for Mr. Atalig, or any person, to fashion his request is a direct and inexcusable violation of the Open Government Meetings and Records Act. Please review the Open Government Meetings and Records Act, codified at 1 CMC § 9901, *et seq.*

Third, as you know, CPA’s responses to the itemized requests below are grossly deficient as follows:

Request No. 1

Mr. Atalig’s Request No. 1: Any and all change orders, including all accompanying and related documents, to the Construction Contract (the “Construction Contract”) between the Commonwealth Ports Authority (“CPA”) and OKP (CNMI) Corporation (“OKP”) for the Rota International Airport Runway 09/27 Extension (the “Project”) – Phase I Project No. CPA-RA-001-03 / AIP No. 3-69-0003-19. Please include, but do not limit it to, all the documents mentioned in the attached Exhibit A.

CPA’s Response: “There are no fully executed Change Orders on this project.”

Mr. Atalig’s Reply: Please provide any Change Orders that CPA has already executed. CPA failed to mention whether the other requested documents as set forth above will be available or will be withheld. Therefore, please comply with the Open Government Meetings and Records Act with respect to Request No. 1.

Request No. 3

Mr. Atalig’s Request No. 3: All contract documents as defined and referred to in the Construction Contract. Please include all documents and information relating to any payment schedule(s) agreed to by CPA and OKP. Also, please provide Technical Specifications Item G-100-3.2 and Technical Specifications Item G-100-3.4.

CPA’s Response: “Plans and specifications will be provided for inspection.”

Mr. Atalig’s Reply: Insofar as all documents and information relating to any payment schedule(s) agreed to by CPA and OKP are included in the “plans and specifications,” Mr. Atalig appreciates the opportunity to inspect the plans and specifications. But, if the documents and information relating to any payment schedule(s) agreed to by CPA and OKP are not included in the “plans and specifications,” then Mr. Atalig respectfully

requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 3.

Request No. 4

Mr. Atalig's Request No. 4: Any and all procurement rules, regulations, and policies of CPA, including all other procurement rules, regulations, policies, that CPA is relying on as authority to issue a notice to proceed to OKP despite the fact that the contract was not fully-executed as of at least March 6, 2006.

CPA's Response: "This is an improper request requiring conclusions of law and fact is not a mere request for documents."

Mr. Atalig's Reply: Under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason for withholding the records requested that was given by CPA is not supported by the Open Government Meetings and Records Act. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 4.

Request No. 6

Mr. Atalig's Request No. 6: Section 9 of the Grant Agreement (the "Grant Agreement") for Project No. 3-69-0003-19, Contract No. DTFA08-05-C-50522 provides that

Unless otherwise approved by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for airport development or noise compatibility for which funds are provided under this grant. The Sponsor will include in every contract a provision implementing this special condition.

Emphases added. Please provide the FAA approval or else please provide any contracts, agreements, or provisions that shows compliance with Section 9 of the Grant Agreement.

CPA's Response: "The Grant Agreement will be provided for inspection."

Mr. Atalig's Reply: CPA's response is non-responsive. It is very clear that Mr. Atalig is not requesting a copy of the Grant Agreement under Request No. 6, unless, of course, there is any amendment, alteration, or changes to the Grant Agreement, then Mr. Atalig will review any amendments, alteration, or changes. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 6.

Request No. 7

Mr. Atalig's Request No. 7: Any and all information proving that any steel or manufactured products used or to be used for the Project are manufactured in the United States.

CPA's Response: "This is an improper request requiring fact and legal determinations."

Mr. Atalig's Reply: Section 9 of the Grant Agreement expressly requires that

Unless otherwise approved by the FAA, the Sponsor will not acquire or permit any contractor or subcontractor to acquire any steel or manufactured products produced outside the United States to be used for any project for airport development or noise compatibility for which funds are provided under this grant. The Sponsor will include in every contract a provision implementing this special condition.

For CPA to now say that Mr. Atalig's request is "improper" is suspect, at best. Furthermore, under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason, given by CPA, for withholding the records requested is not supported by the Open Government Meetings and Records Act. It is clear that CPA is playing "hide-the-ball," and/or "delay, derail, and defeat." Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 7.

Request No. 10

Mr. Atalig's Request No. 10: All letters, correspondences, and communications with the FAA regarding OKP and/or the Project after March 23, 2006.

CPA's Response: "Letters and correspondence with FAA regarding the project after March 23, 2006 will be provided for inspection."

Mr. Atalig's Reply: Please also make sure that all letters and correspondence with FAA regarding OKP, not just the project, after March 23, 2006, are provided for inspection. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 10.

Request No. 11

Mr. Atalig's Request No. 11: Any and all letters, correspondences, and communications from the FAA regarding any increase(s) of the grant amount of the Project.

CPA's Response: "No public records currently exist."

Mr. Atalig's Reply: Please be more specific whether there are no letters, correspondences, and communications from FAA regarding any increase(s) of the grant amount of the Project, or there are letters, correspondences, and communications from FAA, but that CPA does not think that it is "public record" subject to the Open Government Meetings and Records Act. If there are letters, correspondences, and communications that CPA does not believe is subject to disclosure, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 11.

Request No. 13

Mr. Atalig's Request No. 13: Any and all construction management program as required under Section 15 of the Grant Agreement.

CPA's Response: "This request is currently under review and will be responded to at a later time."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right time is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 13.

Request No. 14

Mr. Atalig's Request No. 14: The name of the person representing CPA who has overall responsibility for contract administration for the Project and the authority to take necessary actions to comply with the contract, as required under Section 15.a.1) of the Grant Agreement, including the name of the person currently taking such responsibilities and authority.

CPA's Response: "This is an improper request, not being one for public records."

Mr. Atalig's Reply: Although Mr. Atalig's request is proper, Mr. Atalig wishes to clarify his request since it is apparent that CPA is playing "hide-the-ball." Please provide any records, documents, and/or materials delegating, assigning, or giving the responsibility to any person for contract administration for the Project, as required under Section 15.a.1) of the Grant Agreement. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 14.

Request No. 15

Mr. Atalig's Request No. 15: The names of testing laboratories and consulting engineer firms with quality control responsibilities on the Project, together with a description of the services to be provided, as required under Section 15.a.2) of the Grant Agreement, including the names of testing laboratories and consulting engineer firms who are/were actually retained.

CPA's Response: "This request is under review and will be responded to at a later date."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right date is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 15.

Request No. 16

Mr. Atalig's Request No. 16: Please provide any information whether Mr. Prasada Reddy Goluguri is the person or firm who is responsible for quality control on the Project. As you may know, Mr. Goluguri is a Non-Resident employee of OKP. Mr. Goluguri's position title that was submitted to the Department of Labor, by OKP, is Project Engineer. Although I do not know whether Mr. Goluguri is licensed to practice here in the CNMI, I request that you confirm whether he is the Quality Control person as required under Section 15.a.2) of the Grant Agreement. Please see attached Exhibit B, which shows that Mr. Goluguri is certifying some documents as a Quality Control Administrator. Also, please provide the attachments as mentioned in Exhibit B, i.e., "Submittal No. 006 and 030." If Mr. Goluguri is the person responsible for quality control as required under Section 15.a.2) of the Grant Agreement, please provide all "submittals" or certifications that have been submitted to CPA.

CPA's Response: "This is essentially an improper request not in conformance with the requirements of the Open Government Act. To the extent that the request is for submittals on this project, the submittals will be provided for inspection."

Mr. Atalig's Reply: Under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason, given by CPA, for withholding the records requested is not supported by the Open Government Meetings and Records Act. It is clear that CPA is playing "hide-the-ball," and/or "defeat, delay, and derail." For CPA's information, please see the attached letter, marked Exhibit 2, from the Board of Professional Licensing confirming

that Mr. Prasada Reddy Goluguri is not licensed "to practice any branch of engineering in the CNMI." Since CPA now knows that Mr. Goluguri should not be responsible for quality control on the Project because he is not licensed to practice in the CNMI, please provide any record, document, material, or information regarding the person or firm responsible for quality control on the Project as required under Section 15.a.2) of the Grant Agreement. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 16.

Request No. 17

Mr. Atalig's Request No. 17: The attached email to OKP's March 27, 2006 letter to Juan C. Tenorio, P.C. Please see attached Exhibit C, which was previously provided by CPA. The email is purportedly from OKP's Airport Lighting Supplier seeking clarification on the specifications related to the L861 and L862 fixture. Please include any and all responses from CPA and Juan C. Tenorio, P.C., to OKP's March 27, 2006 letter.

CPA's Response: "This material will be provided, if available, at a later date."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right date is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 17.

Request No. 20

Mr. Atalig's Request No. 20: All documents and information that shows compliance with Title 49 CFR Part 23 with regards to the Project. OKP has assured compliance with Title 49 CFR Part 23 relating to Disadvantaged Business Enterprise Participation. Please see attached Exhibit E. Please provide the percentage of Disadvantaged Business Enterprise participation for this Project.

CPA's Response: "This is (*sic*) request is objectionable and improper in that it does not comply with the provisions of the Open Government Act, factual and legal conclusions being requested."

Mr. Atalig's Reply: Under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason, given by CPA, for withholding the records requested is not supported by the Open Government Meetings and Records Act. It is clear that CPA is playing "hide-the-ball," and/or "defeat, delay, and derail." Therefore, Mr. Atalig respectfully

requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 20.

Request No. 21

Mr. Atalig's Request No. 21: All documents and information relating to Bidder's Statement on Previous Contracts Subject to EEO Clause as indicated on the attached Exhibit F.

CPA's Response: "There is no additional public record aside from the Exhibit F form."

Mr. Atalig's Reply: Please be more specific whether there are no documents and information relating to Bidder's Statement on Previous Contracts Subject to EEO Clause, or there are documents and information, but that CPA does not think that it is "public record" subject to the Open Government Meetings and Records Act. If there are documents and information that CPA does not believe is subject to disclosure, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 21.

Request No. 22

Mr. Atalig's Request No. 22: "Bidder's Qualification Statement" submitted by OKP (CNMI) Corporation, which was incorporated in the CNMI on May 3, 2005, for the Project.

CPA's Response: "This request is subject to review and a response will be provided at a later time."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right time is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 22.

Request No. 23

Mr. Atalig's Request No. 23: Any and all information regarding any other bids submitted by OKP for any other CPA projects.

CPA's Response: "This is an improper request not (*sic*) compliance with the Open Government Act."

Mr. Atalig's Reply: Under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason, given by CPA, for withholding the records requested is not supported by the Open Government Meetings and Records Act. It is clear that CPA is playing "hide-the-ball," and/or "defeat, delay, and derail." Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 23.

Request No. 24

Mr. Atalig's Request No. 24: List of all construction contractors that have ever contracted with CPA since January 1, 2000.

CPA's Response: "No such list is maintained."

Mr. Atalig's Reply: CPA's response is cute. Mr. Atalig was merely being considerate to CPA by not demanding inspection of the entire files of all construction contractors that have ever contracted with CPA since January 1, 2000. The rationale was that once a listing was provided, both Mr. Atalig and CPA will save a lot of time by narrowing the request as much as possible. Seeing that CPA wants to play "semantic," "hide-the-ball," and/or "delay-derail-defeat" games, Mr. Atalig respectfully requests CPA to make available for inspection and/or copying, pursuant to the Open Government Meetings and Records Act, within 10 days, the following:

1. All records, documents, materials, and information pertaining to any and all construction contractors that have ever contracted with CPA since January 1, 2000, including, but shall not be limited to, construction contracts, bids, and change orders. Please include all CPA projects in the CNMI (Rota, Tinian, and Saipan).

Request No. 25

Mr. Atalig's Request No. 25: All documents regarding the paving at the Saipan International Airport.

CPA's Response: "This request is improper, that it does not identify the paving project requested, thus is not susceptible of a response."

Mr. Atalig's Reply: Under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason, given by CPA, for withholding the records requested is not supported by the Open Government Meetings and Records Act. It is clear that CPA is playing "hide-the-ball," and/or "delay, derail, and defeat." Of course, if you tell me the names of the paving projects, I can pinpoint which paving project Mr. Atalig wants to review. Please do not expect Mr. Atalig, or any other person outside of CPA, to know every paving project that there is. Furthermore, just because Mr. Atalig does not know the names of all the paving projects, it is not grounds for refusal to open CPA's books, files, and records. Fearing CPA's hide-the-ball games, it is probably best to request for all

records, documents, materials, and information regarding all paving projects at the Saipan International Airport. As such, please provide all records, documents, materials, and information regarding all paving projects at the Saipan International Airport. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 25.

Request No. 26

Mr. Atalig's Request No. 26: All documents relating to E.M. Chen & Associates (CNMI), Inc., including but shall not be limited to, contracts, agreements, relationship to Mr. Brian M. Chen, who is an officer and shareholder of OKP. Please see attached Exhibit G, which seems to show that Mr. Toh Wat Or faxed OKP's May 20, 2005 letter, among other things, to E.M. Chen & Associates, and then the letter was faxed to CPA. Please include any documents and information whether E.M. Chen & Associates is an agent or contractor of CPA or OKP.

CPA's Response: "This is an improper request that it is not a request for public records but a request for information. To the extent that it is a request for public records, none are in the possession of the Authority."

Mr. Atalig's Reply: Mr. Atalig specifically requested for all documents relating to E.M. Chen & Associates (CNMI), Inc. Based on some of the documents previously obtained from CPA, it is clear that Mr. Endymion M. Chen and/or E.M. Chen & Associates (CNMI), Inc., is/are the "Project Designer" for CPA. Please see the attached Exhibit 3. Unless Mr. Endymion M. Chen and E.M. Chen & Associates (CNMI), Inc., rendered their services to CPA for free, there should be some kind of contract or agreement, including payment.

Under 1 CMC § 9918, Mr. Atalig finds no exemption as invoked by CPA. The reason, given by CPA, for withholding the records requested is not supported by the Open Government Meetings and Records Act. It is clear that CPA is playing "hide-the-ball," and/or "delay, derail, and defeat." Please understand that Mr. Atalig is not making this request to "investigate" any possible wrongdoing, kickbacks, or any insider information, since Mr. Atalig is not aware of any. If CPA is concerned that disclosure may expose any possible civil or criminal liabilities, Mr. Atalig is willing to execute a confidentiality agreement.

You also mentioned that no public records "are in the possession of the Authority." Please identify the name, address, and telephone number(s) of the person(s) who has/have the public records, including, but not limited to, any information or record why CPA transferred the public records or information to such person(s).

Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 26.

Request No. 27

Mr. Atalig's Request No. 27: Any and all documents and information relating to the monitoring of OKP for compliance with all the conditions as set forth in the Construction Contract and the Grant Agreement, including all the documents incorporated therein. Please include, but do not limit it to, compliance with minimum wage requirements that "[a]ll mechanics and laborers on the Project shall be paid no less than the current minimum rate established by the CNMI, CNMI Government Directive Order No. 241 effective January 1, 2001 with minimum \$6.25 per hour or the U.S. Secretary of Labor, whichever is higher," as provided in the Amended Notice to Bidders, dated June 17, 2005, and whether OKP maintains an affirmative action program.

CPA's Response: "This request is currently being checked and if subject to release will be provided for inspection."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right date is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 27.

Request No. 30

Mr. Atalig's Request No. 30: Any and all documents pertaining to all "local subcontractors on Rota for backfill materials." On information and belief, OKP is paying 40 cents per cubic yard to quarry materials from private and/or public lands. Please include, but do not limit it to, any documents and information regarding how much material has been quarried by OKP from private and/or public lands for the Project.

CPA's Response: "This request is subject to further examination and if public records are available for release will be provided for inspection at a later date."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right date is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait

indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 30.

Request No. 32

Mr. Atalig's Request No. 32: Any and all other documents, materials, and/or things not mentioned above pertaining to OKP that were not previously provided to Mr. Atalig for inspection because either it was exempted before but is not now, or has been received or generated by CPA after Mr. Atalig had inspected the files on April 21, 2006.

CPA's Response: "This is an improper request not within the scope of Sections 9917 and 9918 of the OGA."

Mr. Atalig's Reply: Although such response is unacceptable and unsupported under the Open Government Meetings and Records Act, please let me know how much time you need to respond to Mr. Atalig's specific request. To force Mr. Atalig to wait indefinitely or until whenever CPA thinks is the right date is unfair, unjust, and ridiculous. Not to mention that it brings back bad memories of how CPA's contractor/agent OKP likes to deal with Mr. Atalig. For example, when Mr. Atalig was trying to set up a deposition, OKP and its counsel objected to the date of deposition, but were unwilling and refused to suggest a date certain. Instead, CPA's contractor/agent OKP wanted Mr. Atalig to wait indefinitely until OKP is ready. Therefore, Mr. Atalig respectfully requests that CPA comply with the Open Government Meetings and Records Act with respect to Request No. 32.

Clearly, CPA's responses to Mr. Atalig's requests are calculated to hide as much information as possible. It might be instructive for CPA to review 1 CMC § 9901, which reads:

The Legislature finds and declares that all public commissions, boards, councils, committees, subcommittees, departments, divisions, offices, and all other public agencies of this Commonwealth exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly.

The people of the Commonwealth do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.

The provisions requiring open meetings and open records shall be liberally construed, and the provisions providing for exceptions shall be strictly construed against closed meetings and nondisclosure of records.

As you know, "all public records shall be available for inspection by any person during established office hours unless public inspection of such records is in violation of any

Ltr. to Casbini re: June 22, 2006 ltr.
Page 13 of 13

Commonwealth or federal law,..." within 10 days of a request. 1 CMC § 9917. You have not cited any Commonwealth or federal law prohibiting inspection of the requested records, documents, materials, and information. If there is any applicable law, please let me know.

Furthermore, "[a]gency responses refusing, in whole or in part, inspection of any public record shall include a statement of the specific exemption authorizing the withholding of the record (or part thereof) and a brief explanation of how the exemption applies to the record withheld." 1 CMC § 9918(d). You have not invoked any of the listed exemptions under section 9918. Rather, you created a new and unrecognized "exemption" that the request is improper and not in compliance with the Open Government Act. Please stick to the enumerated and recognized exemptions under the law. If what CPA is trying to hide from Mr. Atalig does not fit under any lawful exemptions, it is a good clue that it must be made available for inspection, unless, of course, CPA is gung-ho about paying Mr. Atalig's court costs and attorney's fees.

Furthermore, "[r]ecourse may be had to the Commonwealth Superior Court by any person unlawfully denied access to public records. Cost of suit and reasonable attorney fees shall be awarded to the prevailing party in such a suit." 1 CMC § 9917(b). Mr. Atalig seriously hopes that such recourse to the Commonwealth Superior Court will not be necessary. Mr. Atalig is surprised why CPA complied, for the most part, during the first Open Government Act request, but is now clearly hiding a lot of information and record requested.

Finally, "[a]ny public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by a fine not exceeding \$500. Any person willfully and knowingly violating any of the provisions of this section is guilty of a misdemeanor punishable by a term of imprisonment not exceeding one year, or by a fine of up to \$1,000, or both." 1 CMC § 9917(c).

That being said, Mr. Atalig wishes to make one more good faith attempt to persuade CPA to make all public records, documents, materials, and information available for inspection within five days from the date of this letter. This good faith attempt is Mr. Atalig's effort to resolve any disputes without court action. Therefore, Mr. Atalig respectfully requests that CPA fully comply with his Open Government Meetings and Records Act request. In the event that CPA refuses to comply with the Open Government Meetings and Records Act, CPA will force Mr. Atalig to take appropriate legal action.

Thank you for your cooperation and assistance. If you have questions, please contact me.

Sincerely,


RAMON K. QUICHOCHO, ESQ.

Cc: Joaquin Q. Atalig, Client
Reno Celis, Acting Executive Director (as to open government act) (670.234.5962)
Faride Komisar, Department of Interior-Office of Insular Affairs (c/o 670.234.8814)
Ron V. Simpson, Federal Aviation Administration (1.808.541.3566)

(a) Any person may commence an act either by mandamus or injunction for the purpose of stopping violations or preventing threatened violations of this chapter by members of a governing body.

(b) Accelerated Hearing: Immediate Compliance.

(1) Whenever an action is filed to enforce the provisions of this section, the court shall set an immediate hearing, giving the case priority over other pending cases.

(2) Whenever a court orders an agency to open its records for inspection in accordance with this section, the agency shall comply with such order within 48 hours, unless otherwise provided by the court issuing such order, or unless the appellate court issues a stay order within such 96 hour period.

(3) A stay order shall not be issued unless the court determines that there is a substantial probability that opening the records for inspection will result in significant damage.

(4) Upon service of a complaint, counterclaim, or cross-claim in a civil action brought to enforce the provisions of this section, the custodian of the public record that is the subject matter of such civil action shall not transfer custody, alter, destroy, or otherwise dispose of the public record sought to be inspected and examined, notwithstanding the applicability of an exemption or the assertion that the requested record is not a public record subject to inspection and examination under 1 CMAC § 9918, until the court directs otherwise. The person who has custody of such public record may, however, at any time permit inspection of the requested record as provided in 1 CMAC § 9918 and other provisions of law.

Source: PL 8-41, § 17, amended by PL 10-82, § 2(b).

Commission Comment: PL 10-82 took effect on January 6, 1998. PL 10-82 § 2(b) added a new subsection (b) to this section. According to PL 10-82,

Section 1. Purpose. The purpose of the Act is to increase the penalty for failure to make public records available upon request and to provide for accelerated court hearings in actions filed under this section.

§ 9917. Public Records: Availability for Inspection; Cost of Copies.

(a) Within 10 days of a request, all public records shall be available for inspection by any person during established office hours unless public inspection of such records is in violation of any Commonwealth or federal law; provided that, except where such records are open under any rule of court, the Commonwealth Attorney General or designated assistant attorney general and the responsible attorneys for federal agencies may deter-

mines which such records pertain to the preparation of the prosecution or defense of any action or proceeding, prior to its commencement, to which the Commonwealth is a party, or when such records do not relate to a matter in violation of law and are deemed necessary for the protection of the character or reputation of any person.

(b) Copies of public records shall be given by the officer having custody to any person demanding the same and paying a reasonable charge for duplication. Charges shall not exceed the amount necessary to reimburse the agency for its actual cost incident to such copying. No charge or fee shall be charged for the mere inspection of public records. Recourse may be had to the Commonwealth Superior Court by any person unlawfully denied access to public records. Cost of suit and reasonable attorney fees shall be awarded to the prevailing party in such a suit.

(c) Penalties. Any public officer who violates any provision of this section is guilty of a noncriminal infraction, punishable by a fine not exceeding \$500. Any person willfully and knowingly violating any of the provisions of this section is guilty of a misdemeanor punishable by a term of imprisonment not exceeding one year, or by a fine of up to \$1,000, or both.

Source: PL 8-41, § 18, modified; amended by PL 10-82, § 2(a).

Commission Comment: PL 10-82 took effect on January 6, 1998. PL 10-82, § 2(a) added a new subsection (c) to this section. According to PL 10-82, § 1:

Section 1. Purpose. The purpose of the Act is to increase the penalty for failure to make public records available upon request and to provide for accelerated court hearings in actions filed under this section.

§ 9918. Certain Personal and Other Records Exempt.

(a) The following are exempt from public inspection and copying:

(1) Personal information in any files maintained for students in public schools, patients or clients of public institutions or public health agencies, welfare recipients, prisoners, probationers, or parolees.

(2) Personal information in files maintained for employees, appointees, or elected officials of any public agency other than names, present and past position titles, grades, salaries and duty stations.

(3) Information required of any taxpayer in connection with the assessment or collection of any tax.

(4) Specific intelligence information and specific investigative records compiled by investigative law enforcement, the Attorney General's office, penology agencies and Commonwealth agencies vested with the responsibility to discipline members of any profession, the

Exhibit 1



BOARD OF PROFESSIONAL LICENSING
Commonwealth of the Northern Mariana Islands

P.O. Box 502078
Saipan, MP 96950
Tel. No.: (670) 234-5897
Fax No.: (670) 234-6040

June 9, 2006

Mr. Ramon K. Quichocho
P.O. Box 505621
Saipan, MP 96950

Re: Mr. Prasada Goluguri

Dear Mr. Quichocho,

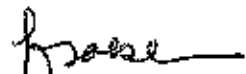
This is to reply to your 6/5/06 inquiry whether Mr. Goluguri is licensed to practice engineering in the CNMI.

We have no record on file showing that Mr. Prasada Reddy Goluguri is licensed to practice any branch of engineering in the CNMI.

We will inform OKP (CNMI) Corporation that Mr. Goluguri should not be using the title "engineer" since he is not licensed to practice that profession.

If you have further inquiries to this regards please do not hesitate to contact our office at 664-4809.

Sincerely,


Florence C. Sablan
Executive Director

xc: File

RECEIVED	
LAW OFFICES OF RAMON K. QUICHOCHO, LLC	
Date: <u>6/14/06</u>	Time: <u>2:35</u>
By: <u>[Signature]</u>	
<input checked="" type="checkbox"/> Delivery	<input type="checkbox"/> Mail <input type="checkbox"/> Fax

Exhibit 2



COMMONWEALTH PORTS AUTHORITY

Main Office: SAIPAN INTERNATIONAL AIRPORT
P.O. BOX 501055 • SAIPAN • MP 96950-1055
Phone: (670) 664-3500 /1 FAX: (670) 234-5962
E-Mail Address: cpa.admin@saipan.com
Website: www.cpa.gov.mp

ROTA INTERNATIONAL AIRPORT RUNWAY 09/27 EXTENSION PHASE 1 PRE-BID CONFERENCE

AGENDA

Date: May 6, 2005

Time: 2:00 PM

Place: Rota International Airport Conference Room

- I. **Welcome Remark** -By Mr. Benjamin M. Manglona- CPA Rota Ports Manager
- II. **Attendees' Self Introduction**
- III. **General Introduction of the project** By Mr. Juan R. Sablan
CPA Staff Engineer
And Mr. Benjamin M. Manglona
 1. This project is funded by Department of Interior and Federal Aviation Administration Project No. CPA-RA-001-03, AIP Project No. 3-69-0003-19.
 2. Section GP 20 -Bid Requirements and Conditions
 3. Bid Date and time is June 17, 2005 no later than 2:00 PM; Bid proposal shall be submitted to the Office of Executive Director, Commonwealth Ports Authority located at Saipan International Airport Terminal Building.
 4. Bid proposal must be submitted in the form (Section LP-5) provided in the bid documents.

Bid Bond (LP-6) shall be submitted. Updated US Treasury Listed Surety Companies may be founded at www.fms.treas.gov/c570/c570.html.

The following shall also be submitted along with Bid Proposal:

- Bidder's Qualification Statement
- Non-Collusion Affidavit (LP-7)
- Non-Gratuity Affidavit (LP-8)

Exhibit 3

- Bidder's Assurance of Compliance with Title 49 CFR Part 23 Relating to Disadvantaged Business Enterprise Participation (LP-9)
 - Bidder's Statement on Previous Contracts Subject to EEO Clause (LP-10)
 - Certification of Non-Segregated Facilities (Contractors/Subcontractors) (LP-11)
 - Designation of Subcontractors (LP-12)
5. Minimum wage requirement.
 6. Security.
 7. Traffic Control – By Mr. Benjamin Manglona
 - a. The requirement of a signal person or vehicular traffic control at point of conflict between aircraft and surface vehicles.
 - b. The marking and/or lighting of construction equipment and vehicles
 - c. The parking of construction equipment and vehicles when not engaged in construction during nonworking days and at night.
 - d. Any required communications between construction or inspection forces and the Air Traffic Control Tower (ATCT) or Flight Service Station (FSS).
 8. Minimum distance restriction for construction vehicles, equipment, workers and materials with relation to runway, taxiway and navigational aids (NAVAIDS) that remain in operational use. See AC150-5370-2 Operational Safety on Airports During Construction.
 9. Construction Management team will be on-board sometime in June.
 10. Permit Requirements for the project.
 11. Site soil investigation reports are available for review at CPA Saipan Engineering Office and also at Rota International Airport Manger's Office.

IV. Project Description by Mr. Endymion M. Chen

E. M. Chen & Associates (CNMI), Inc., Project Designer

1. Construction time and phasing plan:
 - Stage 1 Mobilization
 - Stage 2 West-end of Runway 1,000 feet extension
 - Stage 3 East-end Turnaround.
 - Total construction period: 300 calendar days

Construction time:

Regular working hours are 7:30 AM to 4:30 PM Mon-Fri
OT Requirement.

2. Liquidated Damages \$2,000 per day (Item G-100-3.4)
3. Borrow Fill.
4. Staging areas.
5. Contractor auto parking access road. Equipment and truck staging and road, plant.
6. Field office, water and electricity, telephone.
7. Availability of Advisory Circulars.

The following Advisory Circulars are available for the prospective bidders:

- AC 150/5345-53A – Approved Airport Lighting Equipment (Replaced AC 150/5345-1)
- AC 150/5100-6 – Labor Requirements for Airport Improvement Program (AIP).
- AC 150/5100-15 – Civil Rights Requirements for the Airport Improvement Program (AIP).

Bidders may also find it from website at www.airweb.faa.gov/Regulatory

8. Marking and Lights.
 - a. Threshold displacement
 - b. Temporary or permanent runway closing including marking
 - c. Installation and maintenance of marking and lighting for threshold displacement or closing of runway.
9. Environmental – Soil Erosion Control
 - Dust Control
10. Addendum No. 1.
 - Adding PAPI's REIL's and a new Windcone to the project.
 - 35' Shoulders add it to the extension portion as alternative Bid

V. Proposed Phase 2 Project.

VI. QC/QA Testing **By Patrick McCollom**
 E. M. Chen & Associates

VII. Questions must be in written address to:

Mr. Carlos H. Salas
Executive Director/Contracting Officer
Commonwealth Ports Authority
PO Box 501055
Saipan MP 96950

no later than June 3, 2005 at 3:00 PM. Questions may be sent by fax to (670) 234-5962, to speed-up the process, bidders are urged to provide e-mail copies to Mr. Juan R. Sablan at cpa.engr@saipan.com and to Mr. Endymion M. Chen at emchen@ite.net.

VII. Site Visit Follows